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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3812 OF 2006

Uday Patil and Ors. .. Applicants

Versus

State of Maharashtra .. Respondents

Mr.A.P.Mundargi, Senior Advocate for applicants

Mr.R.Y.Mirza, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 20th October 2006

P.C.

. At the request of Mr.Mundargi, learned Senior Counsel for applicants, name of applicant No.3 i.e. Abdulgani Amin Patvegar is deleted.

Application insofar as this applicant is concerned is not pressed.

2. Mr.Mundargi submits that the co-accused has been enlarged on bail by this Court and he invites my attention to the order passed on 11th October 2006 in Criminal Application No.3560 of 2006. He points out that as far as both, applicant Nos. 1 and 2 are concerned, the allegations are identical inasmuch as, monies were borrowed from them for the purpose set out in the statement of father of deceased.

3. The above facts are not seriously disputed and once the co-accused Raghunath has been released on bail, on the ground of parity, applicant deserves to be enlarged on bail. For reasons already assigned in the earlier order, this application is granted. Hence following order:-

i) The applicant arrested in

connection with C.R.No.237 of 2006 registered with Karveer Police Station shall be enlarged in the sum of Rs.15,000/- with one or two local sureties in the like amount.

ii) The bail is granted subject to condition that the applicant will remain present before the concerned investigating officer of Karveer Police Station, once a week on every Friday between 5.00 p.m. and 7.00 p.m. till conclusion of the trial.

iii) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without

prior intimation to the Investigating officer.

iv) The bail is granted subject to condition that the applicant shall not directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The applicant shall cooperate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) Parties to act on an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)